# UNITED STATES DEPARTMENT OF COMMERCE
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DATE MAILED:
10/22/01

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) ☐ Responsive to communication(s) filed on _____ .

2a) ☒ This action is **FINAL**.        2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
       closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) ☒ Claim(s) *1,4,6,10,11,13-19 and 21* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1,4,6,10,11,13-19 and 21* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.

   If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a) ☐ All b) ☐ Some * c) ☐ None of:

   1. ☐ Certified copies of the priority documents have been received.

   2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

   3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
          application from the International Bureau (PCT Rule 17.2(a)).
   * See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

   a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1.     The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

2.     Claims 1, 4, 11, 13-14, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable

over the combination of Webb et al. (US Patent No. 5,727135) and Okazawa (US Patent No.

5,937,148).

As to claim 1, Webb teaches;

a plurality of printers (i.e., 16 in fig. 9) and a plurality of computers (11 in fig. 9)

connected to the print server (i.e., 21 in fig. 9);

each of the computers includes a status monitor for displaying the status of the printers,

which is sent simultaneously from the print server to each of the computers (col. 5, lines 1-5; col.

11, lines 1-10 and 19-23; and col. 12, lines 30-36).

Although Webb teaches LAN 21 in fig. 9 distributes the status of all printers 16 to each

computer 11, Webb does not explicitly teaches a job observation module in the print server for

monitoring the status of the printers.

Okazawa teaches the print server includes a acquiring module for monitoring the status of

the printers (fig. 7) connected to the print server (col. 11, line 57 through col. 12, line 5).

It would have been obvious to have modified the server of Webb for monitoring by

acquiring module the status of the printers connected to print server as taught by Okazawa. The

suggestion of modifying the print system of Webb can be reasoned by one of ordinary skill in the art as set forth by acquiring module of Okazawa for checking the status of the printers and informing this status to the clients. For this reason, the clients of the system of Webb easily monitor and control their print jobs.

As to claim 4, Webb teaches means for a user of one of the plurality of computers to postpone a particular print job (col. 2, line 58).

As to claims 11 and 14, the combination of Webb and Okazawa the methods are performed by the apparatus claims 1 and 4 as indicated above.

As to claim 13, Okazawa teaches designating a particular one of the plurality of printers for a particular print job (S35 in fig. 6).

As to claim 22, due to the similarity of this claim to that of claim 1, this claim is rejected as the reason applied to claim 1.

3.     Claims 6 and 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Webb et al. and Okazawa as applied to claim 1 and 11 above, and Hisatake (US Patent No. 5,669,040).

As to claim 6, the combination of Webb and Okazawa teaches the features in claim 1 above. Furthermore, Okazawa teaches the status monitor of each of the plurality of computers includes means for displaying an operating condition (fig. 7, step of 26 in fig. 5 and from step of S36 in fig. 6) .

However, the combination of Webb and Okazawa does not teach a waiting time for the printer which is displayed in the status monitor.

Hisatake teaches a waiting time for the printer which is displayed in the status monitor (

U32 and U16 in fig. 14).

It would have been obvious to have modified the display means of Webb and Okazawa

for displaying a waiting time as taught by Hisatake. The suggestion of modifying the system of

Webb and Okazawa can be reasoned by one of ordinary skill in the art as set forth by Hisatake

because Hisatake provides more status options displayed in the window including the waiting

time. Such modification would allows the system of Webb and Okazawa to control the time of

the new print jobs to the available printer.

As to claims 15-16, the combination of Webb, Okazawa and Hisatake teaches the method

is performed by the apparatus claim 6.

4.      Claims 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Webb et al,

Okazawa as applied to claim 11 above, and Suzuki et al. (US Patent No. 6,213,652).

As to claims 17-19, the combination of Webb and Okazawa teaches the features in claim

11 above.

However, the combination of Webb and Okazawa does not teach exchanging registration

request and response between the computers and the print server

Suzuki teaches the computers and the print server exchange registration request and

response (col. 9, lines 29-60).

It would have been obvious to have modified the system of Webb and Okazawa for

exchanging the registration signal between the hosts and the print server as taught by Suzuki.

The suggestion of modifying the system of Webb and Okazawa can be reasoned by one of

ordinary skill in the art as set forth by Suzuki because Suzuki provides the password option

which allow the clients to check their print job status. This above feature would modify the system of Webb and Okazawa in order to increase the security of their system.

5.      Claims 10, 21 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Webb et al, Okazawa as applied to claims 1 and 11, and Hamazaki (JPO Patent No. JP409212313A).

As to claim 10, the combination of Webb and Okazawa teaches the feature in claim 1 above.

However, the combination of Webb and Okazawa does not teaches the print server includes means for calculating a waiting time for availability of each of the plurality of printers.

Hamazaki teaches the print server includes means (i.e., a print time estimation part 109 calculates the estimated time of every print job) for calculating a waiting time for availability of the printer (See Solution).

It would have been obvious to have modified the print server of Webb and Okazawa for including calculator calculates the waiting time of print jobs in a server as taught by Hamazaki. The suggestion of modifying the system of Webb and Okazawa can be reasoned by one of ordinary skill in the art as set forth by Hamazaki because Hamazaki provides that a print time estimation part for calculates the estimated time of every waiting print job. Such modification would allows the system of Webb and Okazawa to control the time of the new print jobs to the available printer.

As to claim 21, the combination of Webb, Okazawa and Hamazaki teaches the methods are performed by the apparatus claim 10 as indicated above.

As to claim 23, due to the similarity of this claim to that of claim 10, this claim is rejected as the reason applied to claim 10.

### *Response to Arguments and Amendment*

5.      Applicant's arguments filed 9/21/01 have been fully considered but they are not persuasive.

Applicant asserted in page 5 " Okazawa does not simultaneously sending the status of the printers to a plurality of computers connected to the print server.". In reply, Okazawa teaches the print server includes a acquiring module for monitoring the status of all of the printers connected to the print server (col. 11, line 57 through col. 12, line 5) and all of the printers are simultaneously displayed in the user monitor (fig. 7). Furthermore, Webb clearly teaches each of the computers includes a status monitor  for displaying the status of the printers, which is sent simultaneously from the print server to each of the computers (col. 5, lines 1-5; col. 11, lines 1-10 and 19-23; and col. 12, lines 30-36).

Applicant asserted in page 6 " Hisatake determines whether there are any jobs in processing and whether there are any jobs that are waiting for processing. However, Hisatake does not appear to teach or suggest the waiting time for a printer.". In reply, Hisatake teaches the waiting state for processing that is time for waiting. Since a printer process a print job, the waiting time for processing the print job that means the waiting time for a printer.

For the above reasons, it is believed that the cited prior art fully discloses the claimed invention and the rejection stand.
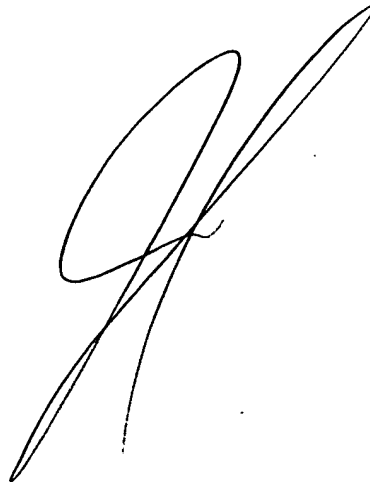
## *Conclusion*

Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

Any inquiry concerning this communication or earlier communications from the
examiner should be directed to Douglas Q. Tran whose telephone number is (703) 305-4857 or
e-mail address is Douglas.tran@uspto.gov.
Any inquiry of a general nature or relating to the status of this application or proceeding
should be directed to the Group receptionist whose telephone number is (703) 305-4700.

Douglas Q. Tran
Oct. 20,   2001